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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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UNITED STATES OF AMERICA,

CASE NO. CR05-215 MJP

Plaintiff,

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

v.

PATRICK SCOTT BRACKETT,

Defendant.

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on June 19, 2006, followed by an Evidentiary Hearing on June 29, 2006. The United States was represented by Mark Parrent and Janet Freeman. The defendant was represented by Stewart Riley. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

Defendant had been convicted of Conspiracy to Commit Bank Fraud on or about January 12, 2006. The Hon. Marsha J. Pechman of this court sentenced Defendant to eight months of confinement, followed by five years of supervised release.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

DEFENDANT'S ADMISSION

USPO Lisa Combs alleged that Defendant violated the conditions of supervised release in two (2) respects:

- (1) Failing to complete 180 days in a community corrections center, in violation of the special condition that he reside in and satisfactorily participate in a community corrections center as a condition of supervised release for up to 180 days, or until discharged by the probation officer with the permission of the center director; and
- (2) Failing to report for drug testing as instructed on April 13, 19; and May 3, 11, 25, 31, all in 2006, in violation of special condition No. 1.

At an initial hearing, I advised the defendant of these charges and of his constitutional rights and Defendant admitted violation No. 1. At today's hearing the Government dismissed violation No. 2. Both matters will be set for a disposition hearing before the Hon. Marsha J. Pechman.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated conditions of his supervised release as alleged in violation No. 1, and set the matter for a disposition hearing.

Defendant has been detained pending a final determination by the court.

DATED this 29th day of June, 2006.

M. Benton

Monica J. Benton
U.S. Magistrate Judge

cc: Sentencing Judge : Hon. Marsha J. Pechman
Assistant U.S. Attorney : Mark Parrent, Janet Freeman
Defense Attorney : Stewart Riley
U. S. Probation Officer : Lisa Combs, Brian Facklam